

**BEFORE THE MINNESOTA
BOARD OF DENTISTRY**

In the Matter of
Craig M. Mrosak, D.D.S.
License No. D 8781

**NOTICE OF TEMPORARY
REVOCATION OF STAY OF
SUSPENSION, IMPOSITION OF
SUSPENSION AND HEARING**

TO: Craig M. Mrosak, D.D.S. ("Respondent"), 20 – 5th Street S.E., Cook, Minnesota 55723.

**I.
REVOCATION OF STAY OF SUSPENSION AND IMPOSITION OF SUSPENSION**

RESPONDENT IS HEREBY NOTIFIED that the Minnesota Board of Dentistry ("Board") Complaint Committee ("Committee") has revoked Respondent's stay of suspension, thereby imposing the suspension of Respondent's license to practice dentistry. The Committee has probable cause to believe Respondent has failed to comply with or has violated one or more of the requirements for staying the suspension outlined in the Stipulation and Order for Stayed Suspension (2003 Order) adopted by the Board on June 13, 2003. (A true and accurate copy of the 2003 Order is attached hereto and incorporated herein as Exhibit 1.)

Respondent shall not engage in any act which constitutes the practice of dentistry as defined in Minnesota Statutes section 150A.01 (2004) and shall not imply by words or conduct that Respondent is authorized to practice dentistry. Respondent shall surrender to the Board his current dentistry license. Respondent shall personally deliver or mail the license to the Minnesota Board of Dentistry, c/o Marshall Shragg, Executive Director, 2829 University Avenue S.E., Suite 200, Minneapolis, Minnesota 55414, within five days after receipt by Respondent of this Notice.

II.

HEARING

RESPONDENT IS FURTHER NOTIFIED that the Committee has initiated a hearing before the Board to present the allegations referenced in section IV below. This hearing could affect Respondent's license to practice dentistry in the State of Minnesota, since the allegations may be grounds for additional disciplinary action, including but not limited to continuation of the suspension or revocation of Respondent's license. The hearing will be held on June 17, 2005 at 8:30 a.m. in Conference Room A, University Park Plaza, 2829 University Avenue S.E., Minneapolis, Minnesota 55414.

In presenting its allegations to the Board, the Committee will submit any affidavits served herewith and may submit additional affidavits and written and oral argument in support of its position that additional disciplinary action should be taken against Respondent. Respondent has the right to submit a response to the Committee's allegations, affidavits made on the personal knowledge of the affiant, and written argument.

Respondent must submit a response to the allegations referenced in section III below within ten days after this Notice is mailed. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

The Minnesota Board of Dentistry ("Board") is authorized pursuant to Minn. Stat. ch. 150A, §§ 214.10 and 214.103 to license and regulate dentists, to refer complaints against dentists to the Attorney General for investigation, and to take disciplinary action when appropriate. This matter came before the Committee in accordance with the terms of a June 13, 2003, Stipulation and Order for Stayed Suspension ("2003 Order"), which Craig M. Mrosak, D.D.S. ("Licensee") agreed to and signed.

Pursuant to the 2003 Order, Licensee's license was suspended, but the suspension was stayed contingent upon Licensee's compliance with all terms and conditions set forth in the 2003 Order. In paragraph G of Licensee's 2003 Order, the Committee is authorized to temporarily revoke the stay of the suspension, if it has probable cause to believe Licensee has failed to comply with or has violated any of the requirements for staying the suspension of Licensee's license.

The Committee has probable cause to believe Licensee has failed to comply with or has violated one or more of the requirements for staying the suspension of Licensee's license as described below.

III.

FINDINGS OF FACT

1. Licensee has held from the Board a license to practice dentistry in the State of Minnesota since April 6, 1979, and is subject to the jurisdiction of the Board with respect to the matters described herein. *See* Affidavit of Deborah A. Endly ("Endly Affid.") at ¶ 3.

2. The Board adopted a Stipulation and Order for Stayed Suspension ("2003 Order") on June 13, 2003, which placed conditions on the dental license of Licensee. Pursuant to paragraph G. of his 2003 Order, Licensee shall be subject to additional discipline, namely a temporary revocation of stay of suspension for violation of his 2003 Order as determined by the Board's Committee. Endly Affid. at ¶ 4.

3. Pursuant to paragraph E. of his 2003 Order, Licensee completed all of the following required conditions in a timely manner: the Jurisprudence Examination; and treatment planning and recordkeeping courses. Endly Affid. at ¶ 5.

4. However, Licensee has failed to complete two of the following required conditions as indicated within paragraph E. of Licensee's 2003 Order. Specifically, Licensee has failed to complete the following courses by the designated deadlines:

a. The patient management (ethics) course by September 13, 2004; and as outlined in paragraph E.4.c.,

b. The prosthodontic course by June 13, 2005; and as outlined in paragraph E.4.d.,

Endly Affid. at ¶ 6.

5. Relative to paragraph E.4.c. of Licensee's 2003 Order, the patient management (ethics) course, the Committee has received a number of pertinent correspondences from Licensee, Muriel J. Bebeau, Ph.D., and Gary R. Schoener, M.Ed., Licensed Psychologist. However, none of the received correspondence indicates that Licensee has successfully completed the patient management (ethics) course as of May 2005. Endly Affid. at ¶¶ 7, 7.a. thru 7.p., Exhibits A thru P.

IV.

CONCLUSION

Licensee has violated a statute or rules which the Board is empowered to enforce or any disciplinary order issued by the Board, specifically paragraph G. of his 2003 Order, within the meaning of Minn. Stat. § 150A.08, sub. 1(13).

V.

ORDER AND NOTICE OF HEARING

Based upon the foregoing findings and conclusions, it is hereby ordered, and Licensee is hereby notified, as follows:

1. Licensee's license to practice dentistry in the State of Minnesota is hereby suspended effective immediately. Licensee shall not engage in the practice of dentistry within the meaning of Minn. Stat. § 150A.05 unless and until authorized to do so by future order of the Board. While the suspension is in effect, Licensee shall not imply to former patients or other persons by word or conduct that he is licensed to practice dentistry, shall not provide or participate in the provision of dental services, and shall not supervise or influence others in the practice of dentistry.

2. Licensee shall arrange for the transfer to other dentists of responsibility for the care of his patients so there is no interruption in patient care.

3. A hearing before the Board regarding this matter shall be held on **Friday, June 17, 2005 at 8:30 a.m.**, or as soon thereafter as the matter can be heard, in Conference Room A, University Park Plaza, 2829 University Avenue S.E., Minneapolis, Minnesota 55414.

VI.
ISSUES

The sole issue at the hearing is

1. Whether there is a reasonable basis to continue, modify, or lift the revocation of the stay of suspension and in the event the suspension is continued whether any further conditions or limitations on Licensee or Licensee's practice are appropriate.

Evidence to be presented at the hearing shall be by affidavit only. The Committee may serve additional affidavits and documents prior to the hearing. If Licensee intends to submit any affidavits or written argument in opposition to the continuance of the revocation of stay of suspension he is requested to submit them to the Board office as soon as practical to allow for photocopying and advance distribution of his materials to the Board members.

Dated: JUNE 13TH, 2005

COMPLAINT COMMITTEE
OF DENTISTRY

By: 
MARSHALL SHRAGG
Executive Director 